

**Proposed Substitute  
Bill No. 226**

LCO No. 3012

**AN ACT CONCERNING SINGLE-USE CARRYOUT BAGS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 22a-255e of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective July 1, 2016*):

3       [On and after January 1, 1990, each retail establishment which offers  
4       plastic bags to customers for goods purchased at such establishment  
5       shall offer paper bags to customers and inform customers that a choice  
6       is available. The provisions of this section shall not be construed to  
7       require retail establishments to use plastic bags.] (a) For purposes of  
8       this section:

9       (1) "Compostable bag" means a bag capable of being subjected to a  
10       process of accelerated biological decomposition of organic material  
11       under controlled conditions and that, at a minimum, meets the  
12       American Society for Testing and Materials (ASTM) International  
13       Standard Specification for Compostable Plastics D6400, as updated.

14       (2) "Postconsumer recycled material" means a material that is  
15       destined for solid waste disposal because of the completion of such  
16       material's intended end use and product life cycle. "Postconsumer  
17       recycled material" does not include materials and byproducts  
18       generated from, and commonly reused within, an original

19 manufacturing and fabrication process.

20 (3) "Reusable bag" means a bag that is provided or sold by a store to  
21 a customer at the point of sale that customarily has a handle, is  
22 designed for numerous reuses, is machine washable or made from a  
23 material that can be cleaned or disinfected, if made of durable plastic,  
24 is not less than 2.25 mils thick, and does not contain lead, cadmium or  
25 any other toxic material that may pose a threat to public health.

26 (4) "Single-use carryout bag" means a bag made of plastic that is  
27 provided by a store to a customer at the point of sale and that is not a  
28 one hundred per cent recyclable bag, a compostable bag or a reusable  
29 bag. "Single-use carryout bag" does not include any of the following:  
30 (A) A bag provided by a pharmacy to a customer purchasing a  
31 prescription medication, (B) a nonhandled bag used to protect a  
32 purchased item from damaging or contaminating other purchased  
33 items when placed in a one hundred per cent recyclable bag, a  
34 compostable bag or a reusable bag, (C) a bag provided to contain an  
35 unwrapped food item, (D) a nonhandled bag that is designed to be  
36 placed over: (i) Articles of clothing on a hanger, or (ii) a newspaper.

37 (5) "Store" means a retail establishment that meets any of the  
38 following requirements: (A) Is a full-line, self-service retail store with  
39 gross annual sales of two million dollars or more and that sells a line of  
40 dry groceries, canned goods or nonfood items and some perishable  
41 items, (B) contains not less than ten thousand square feet of retail space  
42 that generates sales or use tax in accordance with title 12 of the general  
43 statutes, (C) is a convenience food store, foodmart or other entity that  
44 is engaged in the retail sale of a limited line of goods, generally  
45 including milk, bread, soda and snack foods, or (D) is a convenience  
46 food store, foodmart or other entity that is engaged in the retail sale of  
47 goods intended to be consumed off the premises.

48 (b) Not later than July 1, 2018, fifty per cent of the single use  
49 carryout bags provided by stores to customers for no cost at the point  
50 of sale shall be one hundred per cent recyclable, consist of not less than  
51 eighty per cent post-consumer recycled materials, have a handle and

52 be designed and manufactured for multiple reuses.

53 (c) Not later than July 1, 2020, one hundred per cent of the single use  
54 carryout bags provided by stores to customers for no cost at the point  
55 of sale shall be one hundred per cent recyclable, consist of not less than  
56 eighty per cent post-consumer recycled materials, have a handle and  
57 be designed and manufactured for multiple reuses.

58 (d) Not later than January 1, 2017, the Commissioner of Energy and  
59 Environmental Protection shall enter into a memorandum of  
60 understanding with representatives of the grocery and retail industries  
61 that will assist in reducing the environmental impacts of paper and  
62 plastic single-use carryout bags by establishing commitments for said  
63 department and industries that will: (1) Work toward a fifty per cent  
64 reduction goal in the distribution to consumers of paper bags and  
65 single-use carryout bags in the state by 2021 while employing  
66 performance targets that assure the accomplishment of such reduction  
67 by 2021 and parameters that verify such reduction, (2) establish  
68 incentives to encourage a reduction in the demand for such bags and  
69 increase use of reusable bags by consumers in the state, (3) establish  
70 single-use carryout bag and other plastic packaging recycling  
71 programs at all participating supermarkets, grocery stores and  
72 retailers, and (4) increase the recycled content and percentage of  
73 recyclable, biodegradable and compostable bags offered for  
74 distribution by such industries.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2016	22a-255e
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